

Effective 5/12/2015

19-2-109.2 Small business assistance program.

- (1) The division shall establish a small business stationary source technical and environmental compliance assistance program that conforms with Title V of the 1990 Clean Air Act to assist small businesses to comply with state and federal air pollution laws.
- (2) There is created the Compliance Advisory Panel to advise and monitor the program created in Subsection (1). The seven panel members are:
 - (a) two members who are not owners or representatives of owners of small business stationary air pollution sources, selected by the governor to represent the general public;
 - (b) four members who are owners or who represent owners of small business stationary sources selected by leadership of the Utah Legislature as follows:
 - (i) one member selected by the majority leader of the Senate;
 - (ii) one member selected by the minority leader of the Senate;
 - (iii) one member selected by the majority leader of the House of Representatives; and
 - (iv) one member selected by the minority leader of the House of Representatives; and
 - (c) one member selected by the executive director to represent the Division of Air Quality, Department of Environmental Quality.
- (3)
 - (a) Except as required by Subsection (3)(b), as terms of current panel members expire, the department shall appoint each new member or reappointed member to a four-year term.
 - (b) Notwithstanding the requirements of Subsection (3)(a), the department shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of panel members are staggered so that approximately half of the panel is appointed every two years.
- (4) Members may serve more than one term.
- (5) Members shall hold office until the expiration of their terms and until their successors are appointed, but not more than 90 days after the expiration of their terms.
- (6) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (7) Every two years, the panel shall elect a chair from its members.
- (8)
 - (a) The panel shall meet as necessary to carry out its duties. Meetings may be called by the chair, the director, or upon written request of three of the members of the panel.
 - (b) Three days' notice shall be given to each member of the panel prior to a meeting.
- (9) Four members constitute a quorum at a meeting, and the action of the majority of members present is the action of the panel.
- (10) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 154, 2015 General Session